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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/516,536	05/13/2005	Noriaki Minamida	L9289.04187	4469

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EXAMINER

LU, ZHIYU

ART UNIT PAPER NUMBER

2618

DATE MAILED: 08/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/516,536	Applicant(s) MINAMIDA ET AL.	
	Examiner Zhiyu Lu	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Sundar et al.

(US2003/0133421).

Regarding claim 1, Sundar et al. anticipate a mobile apparatus (multimode mobile station, 310 of Fig. 4) that performs radio communication by means of a cellular method, said mobile apparatus comprising:

an identification information storage section (inherent) that stores identification information of a network provider providing a cellular radio communication service (as it's able to access cellular network, stored identification is inherently present for security/customer verification);

a transmitting/receiving section (inherent) that transmits a signal containing said identification information and receives a signal containing frequency and access technology information corresponding to said identification information by means of a communication method different from a cellular method (paragraphs 0051-0053); and

a frequency search section (inherent) that carries out a frequency search when roaming is performed using a frequency and access technology corresponding to said identification

Art Unit: 2618

information indicated by a signal received by said transmitting/receiving section (paragraphs 0054-0059).

Regarding claim 2, Sundar et al. anticipate the limitation of claim 1.

Sundar et al also anticipate said transmitting/receiving section transmits a signal containing said identification information and also receives a signal containing information indicating a frequency, access technology (inherent in 802.11 standard), and service (default service inherently indicated, same as usual cellular service) corresponding to said identification information by means of a communication method different from a cellular method; said mobile apparatus further comprising a service section that implements a service indicated by a signal received by said transmitting/receiving section (using the received information to access network via WLAN, paragraphs 0051-0053).

Regarding claim 3, Sundar et al. anticipate the limitation of claim 1.

Sundar et al. also anticipate said communication method different from a cellular method is a wireless LAN or Bluetooth (paragraph 0054).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

Art Unit: 2618

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Achour et al. (US Patent#6363260) in view of Sundar et al. (US2003/0133421).

Regarding claim 4, Achour et al. teach a service information provision apparatus (base station) that communicates with a mobile apparatus by means of a communication, said service information provision apparatus comprising:

a database (inherent in base station) indicating correspondence between a network provider providing a radio communication service by means of said cellular method and a frequency and access technology (column 7 line 55 to column 8 line 24);

a receiving section (inherent in base station) that receives a signal containing identification information of said network provider transmitted from said mobile station (inherent in registration process);

a control section (inherent in base station) that extracts information on frequency and access technology corresponding to said network provider by searching said database using said identification information contained in a signal received by said receiving section (column 8 lines 13-24); and

a transmitting section (inherent in base station) that transmits a signal containing information on frequency and access technology extracted by said control section to said mobile apparatus (column 8 lines 13-24).

But, Achour et al. do not expressly disclose the service information is provided by service information provision apparatus through a communication method different from said cellular method.

Art Unit: 2618

Sundar et al. teach accessing network through WLAN (Figs. 2-3, paragraphs 0054-0059), which would have been obvious to one of ordinary skill in the art to recognize that the mobile station is capable of obtaining a roaming list when registering with WLAN access point.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate network access via WLAN taught by Sundar et al. and modify the method of Achour et al. into obtaining update information via WLAN, in order for a mobile station to update roaming information while using WLAN for network connection.

Regarding claim 7, Achour et al. teach a roaming method whereby a mobile apparatus that performs radio communication by means of a cellular method acquires information from a service information provision apparatus (base station) by means of a communication method different from said cellular method; said roaming method comprising:

- a storing step in which said mobile apparatus stores identification information of a network provider that provides a radio communication service by means of said cellular method (inherent);

- an identification information transmitting step in which said mobile apparatus transmits a signal containing said identification information by means of a communication method (inherent in registration process);

- an identification information receiving step in which said service information provision apparatus receives a signal containing said identification information (inherent in registration process);

Art Unit: 2618

a searching step in which said service information provision apparatus searches a database indicating correspondence between said network provider and a frequency and access technology based on said identification information contained in a signal received in said identification information receiving step (column 7 line 55 to column 8 line 24);

an extracting step in which said service information provision apparatus extracts information on frequency and access technology corresponding to said identification information from said database as search results of said search step (column 7 line 55 to column 8 line 24);

a signal transmitting step in which said service information provision apparatus transmits a signal containing information on frequency and access technology extracted in said extracting step to said mobile apparatus (column 8 lines 13-24);

a signal receiving step in which said mobile apparatus receives said signal transmitted in said signal transmitting step (column 8 lines 13-24); and

a frequency search step in which said mobile apparatus performs a frequency search when roaming is performed using a frequency and access technology indicated by a signal received in said signal receiving step (column 9 lines 40-63).

But, Achour et al. do not expressly disclose the service information is provided by service information provision apparatus through a communication method different from said cellular method.

Sundar et al. teach accessing network through WLAN (Figs. 2-3, paragraphs 0054-0059), which would have been obvious to one of ordinary skill in the art to recognize that the mobile station is capable of obtaining a roaming list when registering with WLAN access point.

Art Unit: 2618

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate network access via WLAN taught by Sundar et al. and modify the method of Achour et al. into obtaining update information via WLAN, in order for a mobile station to update roaming information while using WLAN for network connection.

Regarding claim 5, Achour et al. and Sundar et al. teach the limitation of claim 4.

Achour et al. also teach said database includes correspondence between said network provider and a frequency, access technology (inherent in roaming list), and cellular radio communication service (default service inherently indicated); said control section extracts a frequency, access technology, and said cellular radio communication service related to said network provider by searching said database using said identification information contained in a signal received by said receiving section (inherent in registration process); and said transmitting section transmits a signal containing information indicating an extracted frequency, access technology, and said cellular radio communication service to said mobile apparatus (column 7 line 55 to column 8 line 24).

Regarding claim 6, Achour et al. and Sundar et al. teach the limitation of claim 4.

Sundar et al. also teach said communication method different from a cellular method is a wireless LAN or Bluetooth (paragraph 0054).

Art Unit: 2618

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zhiyu Lu whose telephone number is (571) 272-2837. The examiner can normally be reached on Weekdays: 9AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vuong Quochien can be reached on (571) 272-7902. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Zhiyu Lu
August 4, 2006

ZL

Quochien B. Vuong 8/7/06

QUOCHIEN B. VUONG
PRIMARY EXAMINER